



Department of Corrections
ADMINISTRATIVE BULLETIN

**Subject: RELEASE OF CRIMINAL
HISTORY INFORMATION TO
HOUSING AUTHORITIES**

Number:

96/17

Date Issued:

July 16, 1996

Cancelled Effective:

The purpose of this Administrative Bulletin is to announce and implement changes in the law as they relate to the release of criminal history information.

Pursuant to Senate Bill 54, Chapter 50, effective November 30, 1994 Penal Code (PC) Section 11105.03 authorizes local law enforcement agencies to furnish state summary criminal history information at the request of the Chief Executive Officer, or designee of the housing authority, upon showing that it operates housing where children under the age of 18 years or persons categorized as aged, blind, or disabled reside. This information would be used by the chief executive officer of the housing authority for the purpose of screening prospective residents and prospective and current staff of a regional, county, city, or other local public housing authority who would have access to the residences.

Under this provision local law enforcement agencies are authorized to release state summary criminal history information (specific information from rap sheets) for persons convicted under any of the following:

- PC Section 1192.7, Commission of a "serious felony."
- PC Section 273.5, Inflict corporal injury on spouse or cohabitant.
- PC Section 273.6, Violation of protective order as defined in Section 6218 of the Family Code.
- PC Section 422.6, Use of force, threats or destruction of property to interfere with another's exercise of civil rights.
- PC Section 422.7, Commission of a crime for the purpose of interfering with another's exercise of civil rights.
- PC Section 422.75, Commission of a hate crime.
- PC Section 422.9, Violation of civil order protecting exercise of civil rights.
- PC Section 1170.75, Felony committed because of victim's race, color, religion, nationality, country of origin, ancestry, disability, gender, or sexual orientation.



Department of Corrections
ADMINISTRATIVE BULLETIN

**Subject: RELEASE OF CRIMINAL
HISTORY INFORMATION TO
HOUSING AUTHORITIES**

Number:

96/17

Date Issued:

July 16, 1996

Cancelled Effective:

- 2 -

- PC Section 12020, Manufacture, importation, sale or possession of disguised firearms, or other deadly weapons.
- PC Section 12021, Persons prohibited from possessing firearms.
- PC Section 12021.1, Persons previously convicted of a "violent offense" prohibited from possessing firearms.
- Any offense that involves domestic violence as defined in PC Section 13700.

The following information shall **not** be released by local law enforcement agencies unless accompanied by any of the above enumerated offenses:

- Information concerning any arrest for an offense that did not result in a conviction.
- Information concerning any offense committed by a person who was under 18 years of age at the time the offense was committed.
- Information concerning any conviction that occurred more than ten years before the date that the information was requested.

If a request for summary criminal history information is concerning a person who is on probation or parole, local law enforcement agencies shall **not** release this information directly to the housing authority, but shall instead release the information to the person's parole agent or probation officer, who shall make it available to the housing authority.

A parole agent or probation officer to whom this information is released shall make the information available to the housing authority within 14 days of receipt from the law enforcement agency. The unit supervisor shall ensure that information released by the parole agent meets the requirements and conditions delineated in PC Section 11105.03 as specified above. Any release of information shall be recorded on the California Department of Corrections Form 1650 D, Record of Supervision.

Upon notice from the housing authority that the parole agent or probation officer has failed to provide this information to the housing authority within the allotted time period, local law enforcement agencies shall release the information directly to the housing authority.



Department of Corrections
ADMINISTRATIVE BULLETIN

**Subject: RELEASE OF CRIMINAL
HISTORY INFORMATION TO
HOUSING AUTHORITIES**

Number:

96/17

Date Issued:

July 16, 1996

Cancelled Effective:

- 3 -

PC Section 11105.03 shall remain in effect until November 30, 1997 unless a later enacted statute extends that date.

Please inform all persons concerned of the contents of this bulletin which shall remain in effect until incorporated into the Department Operations Manual, Section 86060. Direct any inquiries regarding this bulletin to Sharon C. Jackson, Parole Agent III, Chief, Policy and Procedures Unit, Parole and Community Services Division, at (916) 323-0264 or CALNET 473-0264.

GREGORY W. HARDING
Chief Deputy Director
Support Services